

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

Nos. 10-4699 and 11-1099

IN RE APPLICATION OF CHEVRON CORPORATION for
an Order Pursuant to 28 U.S.C. Section 1782 to
Conduct Discovery for Use in Foreign Proceedings
(D.C. # 2-10-mc-00208)

RODRIGO PÉREZ PALLARES and RICARDO REIS VEIGA

v.

JOSPEH C. KOHN, ESQUIRE and KOHN, SWIFT & GRAF, P.C.
(D.C. # 2-10-mc-00209)

Ecuadorian Plaintiffs,

Appellants in No. 10-4699

IN RE: APPLICATION OF CHEVRON CORPORATION for
an Order Pursuant to 28 U.S.C. Section 1782 to
Conduct Discovery for Use in Foreign Proceedings
(D.C. # 2-10-mc-00208)

RODRIGO PEREZ PALLARES and RICARDO REIZ VEIGA

v.

JOSEPH C. KOHN, ESQUIRE and KOHN, SWIFT AND GRAF, P.C.
(D.C. # 2-10-mc-00209)

*Republic of Ecuador,

Appellant in No. 11-1099

*(Pursuant to Fed. R. App. 12(a))

On Appeal from the United States District Court
for the Eastern District of Pennsylvania

(D.C. # 2-10-mc-00208 and 2-10-mc-00209)
Honorable Jan E. DuBois, District Judge

Argued February 22, 2011

BEFORE: AMBRO, FISHER, and GREENBERG, Circuit Judges

JUDGMENT

This cause came on to be considered on the record on appeal from the United States District Court for the Eastern District of Pennsylvania and was argued on February 22, 2011. On consideration whereof, it is hereby

ORDERED and ADJUDGED that the order of the District Court granting the Chevron applicants' 28 U.S.C. § 1782 discovery applications entered December 20, 2010, is reversed and the matter is remanded for the District Court to consider the parties' arguments regarding the applicability of the crime-fraud exception to the attorney-client privilege.

Costs taxed against appellees.

ATTEST:

/s/ Marcia M. Waldron
Clerk

DATED: May 25, 2011

Pursuant to Rule 39(d), FRAP, cost taxed in favor of Appellant Ecuadorian -Plaintiffs in 10-4699 Added hereto on 04/03/2012 as follows:

Docketing Fee.....\$450.00

Brief.....\$326.00

Reply Brief.....\$202.00

Appendix.....\$1225.60

Total Costs Taxed: \$2203.60

Cost taxed in favor of Appellant The Republic of Ecuador in case 11-1099 as follows:

Docketing Fee.....\$450.00

Brief.....\$184.00

Reply Brief.....\$113.00

Total Costs Taxed: \$747.00

*Certified true copy and issued in lieu
of a formal mandate on April 3, 2012*

Teste: *Marcia M. Waldron*

Clerk, U.S. Court of Appeals for the Third Circuit